

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

ADAM A MALIK, et al.,

Plaintiffs,

v.

U.S. DEPARTMENT OF HOMELAND
SECURITY, et al.,

Defendants.

Civil Action No. 4:21-CV-88-P

DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

Defendants—the U.S. Department of Homeland Security, U.S. Customs and Border Protection, and the respective head of each agency sued in an official capacity¹—move for summary judgment against all claims asserted by Plaintiffs Adam A. Malik and Malik & Associates, PLLC. Pursuant to local civil rule 56.3(b), each of the matters required by local civil rule 56.3(a) is set forth in the accompanying brief. For the reasons given therein, and based also on the materials submitted in the accompanying appendix, it is requested that the Court grant summary judgment in favor of Defendants, enter a final judgment dismissing this action in its entirety, and award Defendants all allowable costs.

¹ The current Secretary of Homeland Security, Alejandro Mayorkas, is considered automatically substituted for the Acting Secretary who was named as a defendant in the complaint filed in January 2021, and likewise the current Commissioner of U.S. Customs and Border Protection, Chris Magnus, is considered automatically substituted for the Senior Official Performing the Duties of Commissioner who was named as a defendant. *See* Fed. R. Civ. P. 25(d).

Respectfully submitted,

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Certificate of Service

On March 14, 2022, I electronically submitted the foregoing document with the clerk of court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. I hereby certify that I have served all parties electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

/s/ Brian W. Stoltz
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Assistant United States Attorney